

## REMARKS

Claims 1-3 and 7-8 stand rejected under 35 U.S.C. §102(b) as being anticipated by Tokumitsu et al. Applicants respectfully traverse this rejection because the cited reference does not disclose (or suggest) at least the feature for changing the recording state in an adjacent region extending next to a region from which the reading of a recording mark has failed.

In the present invention, the mark reading section reads marks written on an information storage medium which has a plurality of regions in which information marks are written. These regions are linearly shaped and extend parallel to each other. The claimed recording state changing section changes the adjacent region which is physically next to the target region from which the mark reading section has failed to read a mark. This is done to reduce cross talk from the adjacent region which may have caused the target region to fail. Put another way, the adjacent region is changed to reduce cross talk affecting the target region and not the (target) region in which a reading operation is performed nor the alternative regions for recording backup information.

The Tokumitsu et al. reference relates to an information recording control system in which an alternative area is provided to have data written therein when the target block in which the data is to be written is defective.

The claimed adjacent region which extends in parallel next to the failed region is different from alternative regions for storing back-up information intend to be recorded in the defective target block. Accordingly, the changing of the recording state in the adjacent

region situated next to a failed (target) region is not disclosed by a system which uses an alternative area (not adjacent area) to write data to be written into a defective (target) block as disclosed in Tokumitsu et al. For these reasons, claim 1 and its dependent claims 2-8 are allowable over Tokumitsu et al.

Claims 4-6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Tokumitsu et al. in view of Matsumoto et al. Applicants respectfully traverse this rejection for the reasons given with respect to claim 1 from which claims 4-6 depend, and because of the additional features recited in these claims.

For all of the above reasons, Applicants request reconsideration and allowance of the claimed invention. The Examiner should contact Applicants' undersigned attorney if a telephone conference would expedite prosecution.

Respectfully submitted,

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